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Attorneys for INTERSTATE DISTRIBUTOR
COMPANY

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

GRETCHEN F. MURRAY

Plaintiff,

v.

INTERSTATE DISTRIBUTOR COMPANY,
KEITH A. TEAL, and DOES 1 to 30,

Defendants.

CASE NO. 2:05-CV-00154-MCE-PAN

STIPULATION AND ORDER PRECLUDING
PLAINTIFF'S RECOVERY OF NON-
ECONOMIC DAMAGES

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IT IS HEREBY STIPULATED by and between Plaintiff GRETCHEN MURRAY and
defendants INTERSTATE DISTRIBUTOR COMPANY and KEITH A. TEAL, through their
respective attorneys of record, as follows:

1. That plaintiff GRETCHEN MURRAY was the owner and operator of a motor
vehicle involved in the accident giving rise to the present action,
2. That plaintiff GRETCHEN MURRAY cannot establish her financial responsibility
as the owner and operator of that vehicle as required by the financial responsibility laws of the
State of California.

3. That plaintiff GRETCHEN MURRAY is therefore precluded by California Civil Code § 3333.4 from recovering non-economic losses to compensate for pain, suffering, inconvenience, physical impairment, disfigurement, and other non-pecuniary damages.

DATED: September 2, 2005

PETERS, RUSH, HABIB & McKENNA

By: /s/ James P. McKenna
JAMES P. McKENNA
Attorneys for Plaintiff GRETCHEN MURRAY

DATED: September 15, 2005

HARRINGTON, FOXX, DUBROW &
CANTER


By: /s/ Susan A. Watson
SUSAN A. WATSON
Attorneys for Defendants INTERSTATE
DISTRIBUTOR COMPANY and KEITH A.
TEAL

ORDER

HARRINGTON, FOXX, DUBROW & CANTER, LLP

PURSUANT TO THE STIPULATION OF COUNSEL, IT IS HEREBY ORDERED that Plaintiff GRETCHEN MURRAY is precluded from, and cannot recover, non-economic losses to compensate for pain, suffering, inconvenience, physical impairment, disfigurement, and other non-pecuniary damages, within the meaning of California Civil Code § 3333.4

DATED: September 21, 2005


MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE